

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**

FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER:

0 2 — 0 6

2. STATE:

Maryland

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL
SECURITY ACT (MEDICAID)

Medicaid

TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

October 1, 2001

5. TYPE OF PLAN MATERIAL (Check One):

☐ NEW STATE PLAN☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:

See Attached

7. FEDERAL BUDGET IMPACT:

a. FFY 2002 \$ 0.00

b. FFY \$

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Attachment 2.6A, pages 16a, 17, 18, & 20
Supp. 8b to Attach. 2.6A, page 2
Supp. 13 to Attach. 2.6A, page 29. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable):Attachment 2.6A, pages 16a, 17, & 18 - 92
page 20- 93-8~~Supp. 8A to Attach. 2.6A, page 2 - 99-5~~

Supp. 13 to Attach. 2.6A, page 2 - 99-

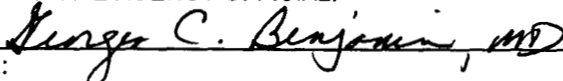
10. SUBJECT OF AMENDMENT:

These amendments are needed to implement vehicle exclusion for all
coverage groups, and to make necessary changes so that the FAC income and assets rules
match the TCA rules.

11. GOVERNOR'S REVIEW (Check One):

☐ GOVERNOR'S OFFICE REPORTED NO COMMENT☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL☒ OTHER, AS SPECIFIED:Susan J. Tucker, Executive Director
Office of Health Services

12. SIGNATURE OF STATE AGENCY OFFICIAL:



13. TYPED NAME:

Georges C. Benjamin, M.D.

14. TITLE:

Secretary

15. DATE SUBMITTED:

December 21, 2001

16. RETURN TO:

Susan J. Tucker, Executive Director
Office of Health Services
201 West Preston Street, Suite 127
Baltimore, Maryland 21201**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED:

December 28, 2001

18. DATE APPROVED:

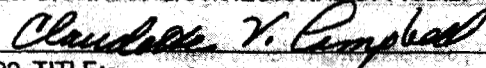
March 22, 2002

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:

October 1, 2001

20. SIGNATURE OF REGIONAL OFFICIAL:



21. TYPED NAME:

Claudette V. Campbell

22. TITLE: Associate Regional Administrator
Division of Medicaid & State Operations

23. REMARKS:



DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Region III

MAR 22 2002

Suite 216, The Public Ledger Building
150 S. Independence Mall West
Philadelphia, PA 19106-3499

Ms. Susan Tucker
Executive Director
Office of Health Services
Department of Health and Mental Hygiene
201 West Preston Street
Baltimore, Maryland 21201

Dear Ms. Tucker:

Enclosed is a copy of the approved state plan material for amendment Transmittal Number 02-06. The State proposes to exclude vehicles as a resource for all coverage groups and make other changes to make Medicaid income eligibility determination rules consistent for Family and Children and Temporary Cash Assistance eligibles.

If there are any questions about the above state plan amendment, please contact James Hake at (215) 861-4196.

Sincerely,

Claudette V. Campbell
Claudette V. Campbell
Associate Regional Administrator
Division of Medicaid and State Operations

Enclosure

FEDERAL REGULATION CITATIONS:

Attachment 2.2 A	42 CFR 435.10
Attachment 2.6 A	42 CFR Part 435, Section 435.10 and Subparts G & H AT-78-90, AT-80-6, AT-80-34 1902(l) and (m) of the Act, P.L. 99-509 (Secs. 9401 and 9402), 1902(l) and (m) and 1920 of the Act, P.L. 99-509 (Secs. 9401, 9402, and 9407)
Attachment 3.1 A	Part 400, Subpart B and 1902(e)(5), 1905(a)(18) through (20), and 1920 of the Act, P.L. 99-272 (sections 9501, 9505 and 9526) and 1902(a), 1902(a)(47), 1902(e)(7) through (9), and 1920 of the Act, P.L. 99-509 (sections 9401(d), 9403, 9406 through 9408) and P.L. 99-514 (section 1895(c)(3))
Attachment 3.1 B	42 CFR Part 440, Subpart B, 42 CFR 441.15, AT-78-90, AT-80-34
Attachment 3.1 C	42 CFR 431.53, AT-78-90
Attachment 3.1 F	1905(a)(24) and 1930 of the Act, P.L. 101-508 (Section 4712 OBRA 90)
Attachment 4.18 A	447.51 through 447.58
Attachment 4.18 C	447.51 through 447.58
Attachment 4.19 A & B	(a) 42 CFR 447.252, 46 FR 44964, 48 FR 56046, 50 FR 23009, 1902(e)(7) of the Act, P.L. 99-509 (section 9401(d)) (b) 42 CFR 447.201, 42 CFR 447.302, AT-78-90, AT-80-34, 1903(a)(1) and (n) and 1920 of the Act, P.L. 99-509 (Section 9403, 9406 and 9407), 52 FR 28648
Attachment 4.16	42 CFR 431.615(c) AT-78-90
Attachment 4.19 D	(d) 42 CFR 447.252, 47 FR 47964, 48 FR 56046, 42 CFR 447.280, 47 FR 31513, 52 FR 28141
Attachment 4.22 A	(a) 433.137(a), 50 FR 46652, 55 FR 1423
Attachment 4.22 B	(b) 433.138(f), 52 FR 5967, 433.138(g)(1)(ii) and (2)(ii), 52 FR 5967, 433.133(g)(3)(i) and (iii), 52 FR 5967, 433.133(h)(4)(i) through (iii), 52 FR 5967
Attachment 4.22 C	Section 1906 of the Act
Attachment 4.26	1927(g) 42 CFR 456.700, 1927(g)(1)(A), 1927(g)(1)(a) 42 CFR 456.705(b) and 456.709(b), 1927(g)(1)(B) 42 CFR 456.703(d) and (e), 1927(g)(1)(D) 42 CFR 456.703(b), 1927(g)(2)(A) 42 CFR 456.705(b), 1927(g)(2)(A)(i) 42 CFR 456.705(b), 1927(g)(2)(A)(i) 42 CFR 456.705(b), (1)-(7), 1927(g)(2)(A)(ii) 42 CFR 456.705(c) and (d), 1927(g)(2)(B) 42 CFR 456.709(a), 1927(g)(2)(C) 42 CFR 456.709(b), 1927(g)(2)(D) 42 CFR 456.711, 1927(g)(3)(A) 42 CFR 456.716(a), 1927(g)(3)(B) 42 CFR 456.716 (A) and (B), 1927(g)(3)(C) 42 CFR 456.716(d) 1927(g)(3)(C) 42 CFR 456.711 (a)-(d), 1927(g)(3)(D) 42 CFR 456.712 (A) and (B), 1927(h)(1) 42 CFR 456.722, 1927(g)(2)(A)(i) 42 CFR 456.705(b), 1927(j)(2) 42 CFR 456.703(c)
Attachment 4.32 A	(a) 435.940 through 435.960, 52 FR 5967
Attachment 4.33 A	(a) 1902(a)(48) of the Act, P.L. 99-570 (Section 11005), P.L. 100-93 (Section 5(a)(3))
Attachment 4.35 A	(a) 1919(h)(1) and (2) of the Act, P.L. 100-203 (Section 4212(a))
Attachment 4.35 B	(b) Same as above

Revision: HCFA-PM-91-4 (BPD)
August 1991

Attachment 2.6-A
Page 16a
OMB No.: 0938-

State: Maryland

Citation

Condition or Requirement

5. Methods for Determining Resources

1902 (a) (10) (A),
1902 (a) (10) (C),
1902 (m) (1) (B)
and (C), and
1902 (r)
of the Act

- b. Aged individuals. For aged individuals covered under section 1902 (a) (10) (A) (ii) (X) of the Act, the agency used the following methods for treatment of resources:

 The methods of the SSI program.

 X SSI methods and/or any more liberal methods described in Supplement 8a and 8b to ATTACHMENT 2.6-A

 Methods that are more restrictive (except for individuals described in section 1902 (m) (1) of the Act) and/or more liberal than those of the SSI program. Supplement 5 to ATTACHMENT 2.6-A describes the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specifies the more liberal methods.

TN No. 02-6

Supersedes

Approval Date: MAR 22 2002

Effective Date: OCT 1, 2001

TN No: 92-26

HCFA ID: 7985E

Revision: HCFA-PM-91-4 (BPD)
August 1991

Attachment 2.6-A
Page 17
OMB No.: 0938-

State: Maryland

Citation

Condition or Requirement

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses.

1902 (a) (10) (A)
1902 (a) (10) (C)
1902 (m) (1) (B), and
1902 (r) of the Act

c. Blind individuals. For blind individuals the agency uses the following methods for treatment of resources:

 The method of the SSI program.

 X SSI methods and/or any more liberal methods described in Supplement 8a and 8b to ATTACHMENT 2.6-A.

 Methods that are more restrictive and/or more liberal than those of the SSI program.. Supplement 5 to ATTACHMENT 2.6-A describe the more restrictive methods and Supplement 8b to ATTACHMENT 2.6-A specify the more liberal methods.

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

TN No. 02-6.

Supersedes

Approval Date: MAR 22 2002

Effective Date: OCT 1, 2001

TN No. 92-26

HCFA ID: 7985E

X The agency applies higher resource standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

Resource standard for a family of any size is \$2000

X The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

1. Any vehicle, regardless of value, is excluded.
2. Up to \$2000 of a child's earnings, held in a separate account, are excluded.
3. Earned income of a child is excluded.
4. Life insurance policies are excluded.
5. Individual Development Accounts are excluded.
6. Real property which is not the primary residence is excluded if it is listed for sale with a realtor.
7. The amount of earned income tax credit is excluded.
8. Earned or unearned in-kind income is excluded.
9. All loans are excluded if there is an intent to repay the loan.
10. Payments received under a crime victims compensation program are excluded.

X The income and/or resources methodologies that the less restrictive methodologies replace are as follows:

1. \$1500 equity value of a vehicle.
2. No set aside of the earnings of a child.
3. Earned income of a child counted.
4. Cash value of life insurance policies counted.
5. Individual Development Accounts counted.
6. Real property, other than primary residence, counted.
7. Earned income tax credit counted.
8. Unearned in-kind income excluded. Earned in-kind income counted.
9. Loans counted.
10. Payments received under a crime victims compensation program counted.

_____ The agency terminates medical assistance (except for certain pregnant women and children) for individuals who fail to meet TANF work requirements.

X The agency continues to apply the following waivers of provisions of Part A of title IV in effect as of July 16, 1996, or submitted prior to August 22, 1996, and approved by the Secretary on or before July 1, 1997.

Waiver of §§ 402(a)(41) and 407 of the Act, 45CFR 233.100(a)(1) and (c)(1)(iii). Deprivation is not a factor of eligibility for a child in an intact family. A child will continue to be considered deprived regardless of whether a parent is unemployed or the number of hours that the principal wage earner is employed.

TN No. 02-6

Approval Date:

MAR 22 2002

Effective Date: 10/1/01

Supersedes TN No. 99-5

Revision: HCFA-PM-91-4
August 1991

(BPD)

Attachment 2.6-A
Page 18
OMB No.: 0938-

State: Maryland

Citation

Condition or Requirement

1902 (a) (10) (A),
1902 (a) (10) (C),
1902 (m) (1) (B),
and (C), and
1902 (r) (2) of the Act

- d. Disabled individuals, including individuals covered under section 1902 (a) (10) (A) (ii) (X) of the Act. The agency uses the following methods for the treatment of resources:

 The methods of the SSI program.

 X SSI methods and/or any more liberal methods described in Supplement 8a and 8b to ATTACHMENT 2.6-A.

 Methods that are more restrictive (except for individuals described in section 1902 (m) (1) of the Act) and/or more liberal than those under the SSI program. More restrictive methods are described in Supplement 5 to ATTACHMENT 2.6-A and more liberal methods are specified in Supplement 8b to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

1902 (1) (3)
and 1902 (r) (2)
Act.
of the Act

- e. Poverty level pregnant women covered under sections 1902(a) (10) (A) (i) (IV) and 1902 (a) (10) (A) (ii) (IX) (A) of the

The agency uses the following methods in the treatment of resources.

 The methods of the SSI program only.

 X The methods of the SSI program and/or any more liberal methods described in Supplement 8a or Supplement 8b to ATTACHMENT 2.6-A.

TN No. 02-6

MAR 22 2002

Supersedes

Approval Date: _____

Effective Date: OCT 1, 2001

TN No. 92-26

HCFA ID: 7985E

Revision: HCFA-PM-91-8 (MB)
October 1991

Attachment 2.6-A
Page 20
OMB No.:

State/Territory: Maryland

Citation	Condition or Requirement
1905 (p) (1) (C) and (D) and 1902 (r) (2) of the Act	5. h. <u>For Qualified Medicare beneficiaries covered under section 1902 (a) (10) (E) (i) of the Act</u> the agency uses the following methods for treatment of resources: _____ The methods of the SSI program only. _X_ The methods of the SSI program and/or more liberal methods as described in <u>Supplement 8a and 8b to ATTACHMENT 2.6-A.</u>
1905 (s) of the Act	i. For qualified disabled and working individuals covered under section 1902 (a) (10) (E) (ii) of the Act, the agency uses SSI program methods for the treatment of resources.
1902 (u) of the Act	j. For COBRA continuation beneficiaries, the agency uses the following methods for treatment of resources: _____ The methods of the SSI program only. _____ More restrictive methods applied under section 1902 (f) of the Act as described in <u>Supplement 5 to Attachment 2.6-A.</u>

TN No. 02-6

Supersedes

Approval Date: MAR 22 2002 Effective Date: OCT, 2001

TN No: 93-8

HCFA ID: 7985E

Revision: HCFA-PM-00-1
February 2000

Supplement 8b to Attachment 2.6-A
Page 2

State Plan Under Title XIX of the Social Security Act

State: Maryland

LESS RESTRICTIVE METHODS OF TREATING RESOURCES
UNDER SECTION 1902 (r) (2) OF THE ACT

For all eligibility groups except the group for Supplemental Security Income beneficiaries, any vehicle owned by family members, regardless of value, is excluded.

*Less restrictive methods may not result in exceeding gross income limitations under section 1903f.

TN No. 02-6

Supercedes

TN No. New

Approval Date: **MAR 22 2002**

Effective Date: 10/1/01